

1 DAVID BURCHARD,  
2 CHAPTER 13 TRUSTEE  
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6 **UNITED STATES BANKRUPTCY COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
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10 In re } Case No.: 19-10509 DM  
11 EDWARD PETER CAMPBELL } **TRUSTEE'S OBJECTION TO DEBTOR'S**  
12 Debtor. } **MOTION TO MODIFY CHAPTER 13**  
13 } **PLAN**  
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15 **TO THE UNITED STATES BANKRUPTCY JUDGE, DEBTOR(S)' COUNSEL,**  
16 **DEBTOR(S), AND OTHER PARTIES IN INTEREST:**

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18 David Burchard, Chapter 13 Trustee ("Trustee"), for the Santa Rosa and San Francisco  
19 Divisions of the United States Bankruptcy Court for the Northern District of California, hereby  
20 submits the following Objection to the Motion to Modify Chapter 13 Plan proposed by  
21 Debtor(s), filed on March 25, 2021. This objection is based upon all pleadings, papers and  
22 documents filed herein, together with those matters of which judicial notice has been requested,  
23 and any oral argument, which may be presented.

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The Trustee is unable to verify the basis for the motion to modify and Debtor's substantial change in income and/or expenses without Debtor providing the following information:

- Updated Schedules I and J, utilizing the schedules effective December 2015.
  - A signed copy of the debtor's filed 2019 Federal Income Tax Return
  - Verification of income to substantiate change in plan payments in the form of payment advices for the last 60 days. If the debtor does not receive payment advices, the Trustee requests copies of bank statements for the last 2 months from all bank accounts in which debtor is a signatory.
  - Other:
    - (1) Payments proposed in the Motion to Modify and Modified Plan are not sufficient to pay all claims in full. Trustee requests an amended motion and plan.
    - (2) Trustee requests a filed declaration regarding the debtor's loss of disposable income and how he/she has been affected by the National Health Emergency as stated in the debtor's application to modify chapter 13 plan.

Therefore, the Trustee requests that this objection be sustained, Debtor's Application to Modify Chapter 13 Plan be denied, and other relief this Court deems proper.

Dated: April 9, 2021

/s/ David Burchard  
DAVID BURCHARD  
CHAPTER 13 TRUSTEE

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**CERTIFICATE OF SERVICE**  
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I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 1065 E. Hillsdale Blvd., Suite #200, Foster City, CA. On the date set forth below, I served a true and correct copy of **TRUSTEE'S OBJECTION TO DEBTOR'S MOTION TO MODIFY CHAPTER 13 PLAN** and this Certificate of Service, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EDWARD PETER CAMPBELL  
5009 MAIDEN LANE  
SANTA ROSA, CA 95409

The following recipients have been served via Court's Notice of Electronic Filing:

EVAN LIVINGSTONE

Dated: April 9, 2021

APRIL LEONHARDT

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APRIL LEONHARDT